IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12301 of 2005

Between:

Paravada Pentayya Dora, S/o.Pothuraju,
R/o.Kanchugummala vill., Rolugunta Mandal, Visakhapatnam

Dist.

..... PETITIONER

AND

1 The District Collector, Visakhapatnam.
2 The Revenue Divisional officer, Narasipatnam (PO),
Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of Mandamus declaring the action of the respondents in seeking to acquire an extent of Ac.2.72 cents dry land in Sy.No.13/5 and Ac.0.45 cents dry land in Sy.No.13/6 in all Ac.3.17 cents of temple lands of Sri Sri Sri Nookalamavaru situated in Kanchugummala village, Rolugunta Mandal, Visakhapatnam Dist. under section 4(1) of Land AcquisitionAct by proceedings Ac.No.796/2003/ E2/sW, dated .11.2003 for providing house sites to weaker sections as being illegal, unjust, arbitrary and violative of Article of the Constitution of India and the provisions of Land Acquisition Act of 1894 as amended by Act 38 of 1923.

Counsel for the Petitioner:MR.E.V.BHAGIRATHA RAO

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court at the admission stage made the following O R D E R:

When the matter came up for admission, learned Government Pleader for Land Acquisition submitted that the award was passed with the consent of the petitioner and the request of the petitioner to refer the matter under Section 18 of the Land Acquisition Act was rejected on 06.11.2003.

In view of the fact that the award was already passed, nothing survives in the writ petition. Accordingly, the writ petition is dismissed. If the petitioner is so aggrieved, he is at liberty to challenge the same. No costs.

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01.07.2005

usd

To

1 The District Collector, Visakhapatnam.
2 The Revenue Divisional officer, Narasipatnam (PO),
Visakhapatnam District.

3 Two CCs to G.P. for Land Acquisition, High Court of A.P., Hyderabad (OUT).

4. Two CD copies.